

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DONALD WILLARD STEBBINS,

Defendant.

CR 22-53-M-DWM

ORDER

This matter comes before the Court on the United States' Motion for Preliminary Order of Forfeiture. (Doc. 20.) The Court having read the motion and being fully advised finds:

THAT the Defendant, DONALD WILLARD STEBBINS, pled guilty to being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1), a factual basis and cause to issue a forfeiture order in this case exists under 18 U.S.C. § 924(d), and the Defendant has no objection to the Motion for Preliminary Order of Forfeiture;

THAT prior to the disposition of the assets, ATF, or a designated sub-custodian, is required to seize the forfeited property; and

THAT 21 U.S.C. § 853(n)(1) requires that third parties who may have an interest in the property receive notice, via publication, or to the extent practical,

direct written notice of the forfeiture and the United States' intent to dispose of the property.

THEREFORE, IT IS ORDERED, DECREED AND ADJUDGED:

THAT the United States' unopposed motion (Doc. 20) is GRANTED;

THAT Defendant's interest in the following property is forfeited to the United States in accordance with 18 U.S.C. § 924(d):

- Glock handgun; Model: 19, Caliber: 9mm: S/N: WNL029;
- Eleven (11) rounds of assorted ammunition; and
- Eighteen (18) rounds of Hornady 9mm ammunition.

THAT the ATF or a designated sub-custodian is directed to seize the property subject to forfeiture and further to make a return as provided by law;

THAT the United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General of the United States may direct, pursuant to 21 U.S.C. § 853(n)(1), and to make its return to this Court that such action has been completed; and

THAT upon adjudication of all third-party interests, if any, the Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n)(7) and Fed. R. Crim. P. 32.2(c)(2), in which all interests will be addressed.

DATED this 18th day of January, 2023.


Donald W. Molloy, District Judge
United States District Court